

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,)
Plaintiff,) Case No. CR06-444 JLR
v.)
JAMES L. PHILLIPS,) DETENTION ORDER
Defendant.)

)

Offenses charged:

Count 1: Conspiracy to Distribute Schedule II controlled substances, in violation of 21 U.S.C. §§ 841(a)(1), 841(b)(1)(C), and 846.

Count 2: Burglary of a Pharmacy, in violation of 18 U.S.C. §§ 2118 (b) and (2).

Count 3: Possession with Intent to Distribute, in violation of 21 U.S.C. §§ 841(a)(1), 841(b)(1)(C) and 18 U.S.C. § 2.

Count 4: Possession with Intent to Distribute, in violation of 21 U.S.C. §§ 841(a)(1), 841(b)(1)(C) and 18 U.S.C. § 2.

Date of Detention Hearing: January 3, 2007.

The Court, having conducted a detention hearing pursuant to 18 U.S.C. § 3142(f), and based upon the factual findings and statement of reasons for detention hereafter set forth, finds the following:

FINDINGS OF FACT AND STATEMENT OF REASONS FOR DETENTION

01 (1) Defendant has an on-going serious substance abuse problem.
02 (2) Defendant has an extensive history of Failures to Appear for required court
03 appearances.

04 (3) Defendant has demonstrated an unwillingness or an inability to comply with
05 terms of supervision and court orders.

06 (4) Based on the proffer of the Assistant United States Attorney, after being asked
07 to surrender, defendant was engaged in active efforts to avoid facing the present charges.

08 (5) There are active outstanding warrants for the arrest of the defendant.

09 (6) There appear to be no conditions or combination of conditions other than
10 detention that will reasonably address the risk of flight and the safety of the community.

11 IT IS THEREFORE ORDERED:

12 (1) Defendant shall be detained pending trial and committed to the custody of the
13 Attorney General for confinement in a corrections facility separate, to the
14 extent practicable, from persons awaiting or serving sentences or being held in
15 custody pending appeal;

16 (2) Defendant shall be afforded reasonable opportunity for private consultation
17 with counsel;

18 (3) On order of a court of the United States or on request of an attorney for the
19 government, the person in charge of the corrections facility in which
20 defendant is confined shall deliver the defendant to a United States Marshal
21 for the purpose of an appearance in connection with a court proceeding; and

22 (4) The Clerk shall direct copies of this Order to counsel for the United States, to
23 counsel for the defendant, to the United States Marshal, and to the United
24 States Pretrial Services Officer.

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01 DATED this 3rd day of January, 2007

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03 JAMES P. DONOHUE
04 United States Magistrate Judge

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